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**FACSIMILE TRANSMITTAL SHEET**

**DELIVER THE FOLLOWING PAGES TO:**

**NAME: Examiner Jessica Younghuie Han**

**DATE: August 4, 2004** *Re-faxed August 6, 2004 -per examiner's request.*

**FIRM: USPTO**

**FROM: Edmund P. Pfleger**

**PHONE NO:**

**OUR REF: O2Micro 02.07DIV3**

**FAX NO: 571-273-2078**

**In RE Application of LIN et al  
Serial No. 10/690,102**

**NUMBER OF PAGES INCLUDING COVER SHEET: 5**

**[X] This will be the only form of delivery of transmitted document.**

**Attached please find the following documents:**

- **Terminal Disclaimer Letter(2 pgs)**
- **Terminal Disclaimer Form P26 (1 pg)**
- **Credit Card Payment Form PTO-2038 (1 pg)**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. Of: LIN et al  
Serial No. 10/690,102  
Filed: October 21, 2003  
For: INVERTER CONTROLLER  
Group: 2838


Examiner: Jessica Younghuie Han

DOCKET: O2Micro 02.07DIV3

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450  
Attn: Examiner Jessica Younghuie Han  
VIA FAX 571-273-2078

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent and Trademark Office, Attn. Examiner Jessica Younghuie Han, Art Unit 2838, at fax number 571-273-2078 on August 4, 2004.

By   
Dana Robertson

**TERMINAL DISCLAIMER**

Dear Sir:

This is in response to the Examiner's request for a terminal disclaimer

Remarks/Arguments begin on page 2 of this paper.

# **TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION**

Docket No.  
**O2Micro 02.07DIV3**

In re Application of: **LIN et al**  
Application No. **10/690,102**  
Filed: **October 21, 2003**  
For: **INVERTER CONTROLLER**

The owner, **O2Micro, Inc.** of **100.00** percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number **10/139,619**, filed on **May 6, 2002**. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

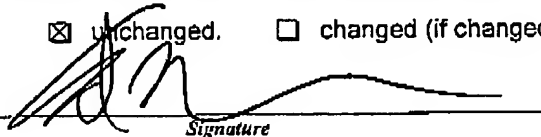
2. ☒ The undersigned is an attorney of record.
3. Owner/applicant is ☐ Small entity ☒ Large entity

The terminal disclaimer fee under 37 CFR 1.20(d) is **\$110.00** and is to be paid as follows:

- ☒ ~~A check~~ <sup>credit card authorization</sup> in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number **50-2121**.

PTO suggested wording for terminal disclaimer was

- ☒ unchanged. ☐ changed (if changed, an explanation should be supplied.)

  
Signature

Dated: **August 4, 2004**

Name and Address of Person Signing

**Edmund P. Pfleger**  
Reg. No. 41,252  
Grossman, Tucker, Perreault & Pfleger, PLLC  
55 South Commercial Street  
Manchester, New Hampshire 03101  
603-668-6560

**Boxed**  
I certify that this document and fee is being deposited on **August 4, 2004** with the U.S. Postal Service as ~~first class mail~~ under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Fax **571-273-2078**

  
Signature of Person Mailing Correspondence

**Dana Robertson**

Typed or Printed Name of Person Mailing Correspondence

# **TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION**

Docket No.

O2Micro 02.07DIV3

In re Application of: **LIN et al**  
 Application No. **10/690,102**  
 Filed: **October 21, 2003**  
 For: **INVERTER CONTROLLER**

AUG 09 2004

TECHNOLOGY CENTER 2800  
 SPECIAL PROGRAM CENTER

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Signature of Person Mailing Correspondence

**Dana Robertson**

Typed or Printed Name of Person Mailing Correspondence